

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

TI GROUP AUTOMOTIVE SYSTEMS, CORP.,

Plaintiff,

v.

HONEYWELL INTERNATIONAL, INC.,

Defendant.

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Case No.: 2:00CV70408  
Honorable George E. Woods

**FILED**  
2000 MAY 16 P 3:06  
U.S. DIST. COURT CLERK  
EAST DIST. MICH.  
DETROIT

**ANSWER AND COUNTERCLAIM FOR PATENT INFRINGEMENT  
WITH DEMAND FOR JURY TRIAL**

Honeywell International, Inc. ("Honeywell"), by and through its attorneys,  
answers the Complaint of TI Group Automotive Systems, Corp. ("TI Group"), as  
follows:

**ANSWER**

1. Upon information and belief, Honeywell admits the allegations contained  
in paragraph 1.
2. Honeywell is without sufficient information to either admit or deny the  
allegations set forth in paragraph 2.
3. Honeywell admits the allegations set forth in paragraph 3.
4. Honeywell admits the allegations set forth in paragraph 4.

5. Honeywell admits that TI Group seeks a declaratory judgment and that a copy of the '879 patent is attached to the complaint. Honeywell denies the remaining allegations in paragraph 5.

6. Honeywell admits that TI Group seeks a declaratory judgment. Honeywell denies the remaining allegations in paragraph 6.

7. Honeywell admits that it has provided formal written notice of infringement by letters attached to the complaint as Exhibit B. Honeywell is without sufficient information as to whether TI Group had a "reasonable apprehension that suit will be brought against it", and therefore, can neither admit nor deny such allegation in paragraph 7.

8. Honeywell admits that a controversy exists between TI Group and Honeywell as a result of written notice of infringement. Honeywell, however, denies that the '879 patent is either invalid, not infringed, or unenforceable.

9. In response to TI Group's request for relief, Honeywell denies that TI Group is entitled to any relief, monetary, equitable or otherwise, and requests that the Court issue an order dismissing TI Group's Complaint with prejudice and without any relief.

#### **COUNTERCLAIM FOR PATENT INFRINGEMENT**

1. This action arises under the patent laws of the United States, and more specifically for patent infringement under 35 U.S.C. §§271, 281 *et seq.*

2. Honeywell International Inc. ("Honeywell") is a Delaware corporation with a place of business at 1746 Thunderbird Street, Troy, Michigan 48084.

3. Upon information and belief, TI Group Automotive Systems, Corp. (“TI Group”) is a Michigan corporation with its principal place of business at 12345 East Nine Mile Road, Warren, Michigan 48090.

4. Subject matter jurisdiction is conferred by 28 U.S.C. §§1331, 1332, and 1338.

5. Venue is proper in this Court by 28 U.S.C. §§1391 and 1400.

6. On November 17, 1992, United States Patent No. 5,164,879 (the ‘879 patent) was duly and legally issued for an invention entitled “Electrostatically Dissipative Fuel System Component,” a copy of which is attached hereto as Exhibit A. Honeywell is the current owner of the ‘879 patent. The United States Patent Office reexamined the ‘879 patent and issued a reexamination certificate B15,164,879 on September 8, 1998.

7. TI Group has for some time and still is willfully infringing the ‘879 patent by making, using, offering for sale, and selling fuel system components, including a fuel line connector of moldable nylon with stainless steel fibers, which provide an interface between the fuel system’s fuel line hoses and metal tubes. TI Group’s willful infringement of the ‘879 patent has been either direct, indirect, contributorily, or by inducement.

8. Honeywell has given written notice to TI Group of its infringement of the ‘879 patent.

**WHEREFORE,** Honeywell requests the following relief:

A. A preliminary and final injunction against TI Group’s continued infringement of Honeywell’s patent rights in the ‘879 patent;

- B. An accounting for damages resulting from TI Group's infringement of Honeywell's patent rights in the '879 patent;
- C. An award of treble damages against TI Group pursuant to 35 U.S.C. §284 for its willful infringement of Honeywell's patent rights in the '879 patent;
- D. An assessment of interest on the damages so computed;
- E. An award of Honeywell's costs and attorneys' fees in this action; and
- F. Such other and further relief as the Court deems just and equitable.

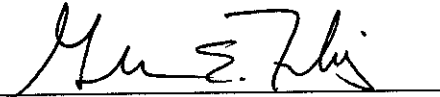
**DEMAND FOR JURY TRIAL**

Honeywell respectfully demands trial by jury as to all issues triable by jury in this case as a matter of right.

Respectfully submitted,

RADER, FISHMAN & GRAUER PLLC

Date: May 16, 2000

By:   
R. Terrance Rader  
Glenn E. Forbis  
1533 North Woodward Avenue, Suite 140  
Bloomfield Hills, MI 48304  
Phone: 248-594-0600

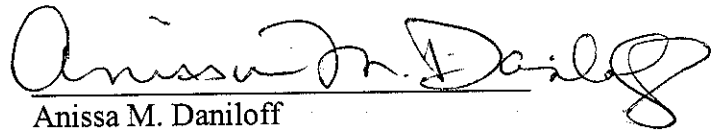
Attorneys for Honeywell International, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing ANSWER AND COUNTERCLAIM FOR PATENT INFRINGEMENT WITH DEMAND FOR JURY TRIAL has been served on counsel for Plaintiff on May 16, 2000 via first class mail, postage prepaid, as follows:

John Carlson  
Howard & Howard Attorneys, P.C.  
The Pinehurst Office Center, Suite 101  
1400 North Woodward Avenue  
Bloomfield Hills, MI 48304

Robert V. Jambor  
Dorn, McEachran, Jambor & Keating  
55 East Monroe Street  
Suite 2940  
Chicago, IL 60603

  
Anissa M. Daniloff

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